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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

February 25, 1993

IN REPLY REFER TO:

7330-7/1700A3

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Gillespie V. Montgomery
U.S. House of Representatives
2184 Rayburn House Office Building
Washington, D.C. 20515

Dear Dear Congressman Montgomery:

This is in reply to your letter of February 8, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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Honorable Gillespie V. Montgomery

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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,

Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Order
Discussion paper

cc:
Chief, PRBureau
Chief, LM&M Divison
Docket Files, Room 222
P&P Branch File (Pink)

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CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/12/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300566	02/12/93	02/08/93	02/25/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Sonny Montgomery	BC

CONSTITUENT'S NAME	SUBJECT
several	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRE 2-16-93 h m m d			

DATE	DATE	DATE	DATE
02/12/93			

REMARKS:

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(202) 225-5031

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VETERANS' AFFAIRS
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ARMED SERVICES

ADMINISTRATIVE ASSISTANT:
ANDRE CLEMANDOT

G.V. "SONNY" MONTGOMERY
3D DISTRICT, MISSISSIPPI

Congress of the United States
House of Representatives
Washington, DC 20515-2403

PPB
92-235
564

DISTRICT OFFICES:
FEDERAL BUILDING
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February 8, 1993

RECEIVED
FEB 16 2 05 PM '93
PRIVATE

Ms. Linda Townsend Solheim
Director
Office of Legislative Affairs
Federal Communications Commission
1919 M Street, N. W.
Washington, D. C. 20554

Dear Ms. Solheim:

Enclosed are letters I have received from my constituents who are concerned about some proposed rules that are currently under consideration by the Federal Communications Commission. (Docket 92-235.)

All of these people are active radio controlled model airplane enthusiasts and their concerns are that, if adopted, the new rules would greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

I will appreciate it very much if these letters from my constituents might be referred to the proper authorities in FCC and that their comments and concerns be given consideration at the proper time.

Thank you for your attention to this request.

Sincerely,



GILLESPIE V. MONTGOMERY
Member of Congress

GVM:il
Enclosures

29 January 1993

The Honorable Sonny Montgomery
U.S. House of Representatives
Washington, DC 20515

Dear Sonny;

I hope you remember me. I am the new Associate Naval Science (JROTC) Instructor at Northeast Lauderdale High School here in Lauderdale County. I have been an active radio controlled model airplane enthusiast for the past 20 years. I compete both locally and nationally. As a flight instructor, I have introduced many people to the experience of controlling an aircraft in flight. Several of these young people have gone on to become aviators (one is a pilot for U.S. Air and another is enrolled in the Air Force Academy) but they all continue to enjoy radio controlled flying. I am currently flying my models at least every weekend and on an occasional afternoon after school lets out. Here in Meridian, we have 40 active members of our radio control club and there are over 60 clubs scattered about Mississippi, each with an average membership of about 25.

Personally, I have in excess of \$5,000 invested in this sport. I own 9 radio control units and, right now, I have 5 aircraft ready to fly. These are mostly scale models of full sized aircraft. One is a Piper Cub, another is a Corsair as flown by the Marines in the Pacific during WWII. I also have a model of an Air Force P-47 Thunderbolt and two general sport type aircraft. I have two additional aircraft under construction and several more kits waiting in the wings. Flying, building, and enjoying the camaraderie with the other flyers has become more than just a hobby or sport, it is an avocation. It is the stress relief that allows me to cope with dealing with 130 high school students every day.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now, the FCC wants to create more land mobile frequencies by splitting them into narrower pandowdies and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72 - 76 MHz band.

Sincerely,

KARL H. HENSEL

Route 4, Box 264, Meridian, MS 39305

FEB - 4 1993

January 28, 1993

The Honorable G.V. "Sonny" Montgomery
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Montgomery,

I have been interested in model aviation for approximately 32 years. About 2 years ago I became disabled and started building and trying to fly model airplanes. I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The preceding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies and we have been able to share the band without either use interfering with the other.

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Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build, but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of

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Please help me to continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Respectfully,

Don Heiden
Rt. 16, Box 141
Meridian, MS 39301
(601) 693-5260

January 28, 1993

The Honorable G.V. "Sonny" Montgomery
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Montgomery,

I have been interested in model aviation for approximately 32 years. I am very active in a local club whose members enjoy constructing and operating radio controlled model airplanes. I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The preceding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

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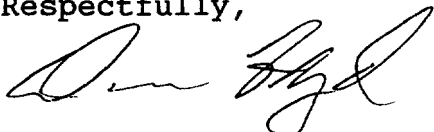
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Please help me to continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Respectfully,

A handwritten signature in cursive script, appearing to read "Don Floyd".

Don Floyd
1719 Hwy. 19 North, #63
Meridian, MS 39307
(601) 482-5303